

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Monongahela Valley Hospital, Incorporated,)
)
)
Plaintiff,)
)
vs.) Civil Action No.
)
)
United Steel, Paper and Forestry,)
Rubber, Manufacturing, Energy, Allied)
Industrial and Service Workers)
International Union AFL-CIO, CLC,)
)
Defendant.)

COMPLAINT/PETITION

Plaintiff, Monongahela Valley Hospital, Incorporated ("Hospital") files this Petition against Defendant, United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union AFL-CIO, CLC ("Union") to appeal the decision of an arbitrator favoring Union and against Hospital as herein set forth.

JURISDICTION

1. Hospital files this action pursuant to 29 U.S.C. § 185 providing for original jurisdiction in the District Court for suits between employers and labor organizations.
2. Venue is proper because Hospital is located within the Western District.

PARTIES

3. Plaintiff Hospital is a nonprofit acute care hospital located at 1163 Country Club Road, Carroll Township, PA, and employs certain employees represented by Union.
4. Defendant Union is a labor organization.

5. Union represents certain of Hospital's employees pursuant to a collective bargaining agreement ("CBA") between the Parties effective July 1, 2014, through June 30, 2017.

STATEMENT OF CASE

6. The CBA provides for vacations and scheduling of vacations for Union represented employees in Section 13 (Exhibit 1).

7. A disagreement arose between the parties concerning the interpretation of Section 13 B 6) of the CBA.

8. A grievance was filed and a hearing was held pursuant to the grievance and arbitration provisions of Section 8 of the CBA (Exhibit 1).

9. The arbitrator ruled in favor of the Union's interpretation in a decision and award dated February 20, 2018 (Exhibit 2).

10. The arbitrator's decision and award exceeded his authority, ignored the plain language of the CBA, and the award failed to draw its essence from the language of the CBA.

REQUESTED RELIEF

11. Hospital requests that the Court vacate the arbitrator's decision and award and enter judgment in favor of the Hospital.

Respectfully submitted,



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Dated: March 20, 2018